

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE BROILER CHICKEN ANTITRUST  
LITIGATION

Case No: 1:16-cv-08637  
Judge Thomas Durkin

THE KROGER CO., ALBERTSONS  
COMPANIES, INC., HY-VEE, INC.,

Individual Case No. 1:18-cv-04534

Plaintiffs,

vs.

PILGRIM'S PRIDE CORPORATION, *et al*,

Defendants.

SAVE MART SUPERMARKETS,

Individual Case No. 1:19-cv-02805

Plaintiff,

vs.

PILGRIM'S PRIDE CORPORATION, *et al*,

Defendants.

ASSOCIATED GROCERS OF THE SOUTH,  
INC., MEIJER, INC.; MEIJER  
DISTRIBUTION, INC.; OSI RESTAURANT  
PARTNERS, LLC; PUBLIX SUPER  
MARKETS, INC., SUPERVALU INC.,  
UNIFIED GROCERS, INC., ASSOCIATED  
GROCERS OF FLORIDA, INC., and  
WAKEFERN FOOD CORPORATION,

Individual Case No: 1:18-cv-04616

Plaintiffs,

vs.

PILGRIM'S PRIDE CORPORATION, *et al*,

Defendants.

**ORDER DISMISSING**  
**CLAIMS WITH PREJUDICE OF PILGRIM'S PRIDE CORPORATION**

The parties in the above-styled action, through counsel, stipulate to the following and respectfully request this Court's approval of their stipulation:

This Stipulation is between Plaintiffs The Kroger Co., Albertsons Companies, Inc., Hy-Vee, Inc. and Save Mart Supermarkets (collectively, the "Kroger DAPs"), Plaintiffs Associated Grocers of the South, Inc., Meijer, Inc., Meijer Distribution, Inc., OSI Restaurant Partners, LLC, Publix Super Markets, Inc., Supervalu Inc., Unified Grocers, Inc., Associated Grocers of Florida, Inc., and Wakefern Food Corporation (collectively, the "AGS DAPs"), and Defendant Pilgrim's Pride Corporation ("Pilgrim's").

1. This Stipulation relates to *The Kroger Co., et al. v. Pilgrim's Pride Corporation, et al.*, Case No. 1:18-cv-04534, and *Save Mart Supermarkets v. Pilgrim's Pride Corporation, et al.*, Case No. 1:19-cv-02805 (collectively the "Kroger DAP Action"), and *Associated Grocers of the South, Inc. et al., v. Pilgrim's Pride Corporation, et al.*, Case No. 1:18-cv-04616 (the "AGS DAP Action").

2. In accordance with Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the Kroger DAPs, the AGS DAPs, and Pilgrim's stipulate and agree to the dismissal, with prejudice, of the Kroger DAPs' claims and the AGS DAPs' claims asserted against Pilgrim's in the Kroger DAP Action and the AGS DAP Action (including as set forth against Pilgrim's in the Amended DAP Consolidated Complaint, ECF No. 4244), with each side bearing its own attorneys' fees and costs. The Stipulation of Dismissal, with prejudice, has no bearing on the Kroger DAPs' claims or the AGS DAPs' claims against Defendants other than Pilgrim's.

So Ordered

  
United States District Judge

Dated: October 25, 2021

Dated: October 25, 2021

Respectfully submitted,

By: s/ **William J. Blechman**

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and Save Mart Supermarkets***

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Associated Grocers of Florida, Inc., and  
Wakefern Food Corp.***

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***Counsel for Defendant Pilgrim's Pride  
Corporation***

**CERTIFICATE OF SERVICE**

David P. Germaine, certifies that on October 25, 2021, I caused a true and correct copy of the foregoing *Stipulation [and Proposed Order] Dismissing Claims with Prejudice of Pilgrim's Pride Corporation* to be filed via CM/ECF.

/s/ David P. Germaine  
David P. Germaine